

STATE OF CALIFORNIA
DEPARTMENT OF INSURANCE
300 Capitol Mall, 17th Floor
Sacramento, California 95814

NOTICE OF AVAILABILITY OF REVISED TEXT

Workers' Compensation Claims Adjuster Training Certification
RH 04038570

Notice Date: September 1, 2005

On August 23, 2004, the insurance commissioner issued a Notice of Proposed Action and Notice of Public Hearing proposing the adoption of regulations for the training and certification of workers' compensation claims adjusters and medical bill reviewers. The proposed regulations comprise the new Article 20 of Title 10, Chapter 5, Subchapter 3 of the California Code of Regulations.

Public Comment Invited:

The insurance commissioner plans to make certain changes to the subject regulations and now solicits written comments on those changes only. The commissioner believes that the changes are sufficiently related to the original text so that the public was adequately placed on notice that the change could result from the originally proposed regulatory action. Accordingly, pursuant to the provisions of California Government Code Section 11346.8(c), the commissioner is soliciting written comments on these changes.

A copy of the proposed regulations, with the proposed changes clearly indicated will be available for public comment and inspection for at least 15 days before the proposed regulations are adopted. Deletions from the original proposed text are indicated in strikethrough; additions are underlined. This document may be inspected between the hours of 9:00 a.m. and 4:00 p.m. at the Department's offices at 300 Capitol Mall, 17th Floor, Sacramento, CA 95814. The document along with this Notice will also be posted on the Department's website, www.insurance.ca.gov.

Status of Prior Versions of These Regulations and Notice of Availability of Revised Text dated March 4, 2005 and Submission of Regulations to the California Office of Administrative Law

It has come to the attention of the insurance commissioner that the prior revised text version of these regulations and Notice of Availability of Revised Text dated March 4, 2005 was actually issued on March 8, 2005, as noted in the declaration of mailing. Inadequate time was given for the 15-day comment period as required by California Government Code section 11346.8(c) before the record was closed. Therefore, the revisions previously done and issued for comment in March of 2005 were not effective. The changes contained in this revision are all changes made from the original text of the proposed regulations issued August 23, 2004.

Additionally, these regulations were submitted to the California Office of Administrative Law and disapproved on August 8, 2005 as a result of various reasons including inadequate public comment period, clarity, consistency, needed documentation, and needed responses. The revisions made take into account the changes requested by the California Office of Administrative Law.

THE FOLLOWING SHOULD BE NOTED: In an attempt to avoid duplicate comments on changes, the insurance commissioner will incorporate all comments previously submitted following the Notice of Availability of Revised Text dated March 4, 2005 into the record of these regulations and will review and consider those comments. To assist in this effort, changes made as a result of previous comments or from the input of the California Office of Administrative Law are noted in bold-type only to bring attention to those changes. As noted above, all changes made in strike-out and underline are those made from the original proposed text of the regulations. It is not necessary to resubmit comments previously submitted; however, comments on all revisions from the original text since August 23, 2004 may still be submitted.

Contact Persons

All written comments submitted in response to this Notice and all general and substantive questions regarding this Notice should be directed to the contact person as follows:

Christopher A. Citko, Senior Staff Counsel
California Department of Insurance
300 Capitol Mall, 17th floor
Sacramento, California 95814
916-492-3187
citkoc@insurance.ca.gov

Submission of Written Comments

All written comments on the changes to the proposed regulations must be received by the contact person at his address listed above no later than 4:00 p.m. on September 16, 2005. Timely comments received by e-mail will be accepted and considered.

Automatic Mailing

A copy of this Notice, together with the text of the revised proposed regulations, will automatically be sent to all persons who testified or submitted written comments at the public hearing, all persons whose comments were received during the public comment period, all persons who requested copies of information regarding the proposed regulations, and all persons who requested notification of the availability of changes to the regulations.

JOHN GARAMENDI
Insurance Commissioner

By _____/s/_____
Christopher A. Citko
Senior Staff Counsel